



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/774,126	02/06/2004	Lin Anita	14231 B	8380
36672	7590	03/15/2006	EXAMINER	
CHARLES E. BAXLEY, ESQ. 90 JOHN STREET THIRD FLOOR NEW YORK, NY 10038			BOES, TERENCE	
			ART UNIT	PAPER NUMBER
			3682	

DATE MAILED: 03/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/774,126

Applicant(s)

ANITA ET AL.

Examiner

Terence Boes

Art Unit

3682

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 February 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities:
 - The disclosure is replete with grammatical errors too numerous to identify in their entirety. The disclosure appears to be a direct translation to English, and is difficult to understand.
 - The specification states figures 3 and 4 are views of the "end cap". Figures 3 and 4 appear to be views of the "capping plate" as disclosed (see Pg5/P1 and Pg5/P2).

Appropriate correction is required.

Drawings

Figure 10 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- Regarding claims 1-6, the phrase "...lubricating part defined on contacting surfaces of the end cap and of the capping plate to prevent oil leakage", is unclear and therefore indefinite.
- Regarding claims 1-6, the phrase "... to form a 3D spatial route for enabling oil to flow to a middle portion between upper and lower rolling ball return ways, and then oil being averagely distributed to respective rolling ball return ways to lubricate rolling balls..." is indefinite. How is the oil distributed, or rather, what distributes the oil?
- Regarding claims 2-4, the phrase "can be" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention.
- Regarding claims 5,6, the phrase "...so as to prevent oil leakage from the contacting surfaces of the end cap and the sliding block..." is indefinite. How does the lubrication system prevent oil leakage, or rather, what structure prevents oil leakage.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Menges et al. US 2002/0181810.

Menges discloses:

- An end cap (12)
- A capping plate (11)
- End cap at both end surfaces of a sliding block (10) (See Figure 4)
- Capping plate (11) installed between sliding block (10) and end cap (12)
- End cap to form a 3d spatial route (20, Figures 3,6,8,9) for enabling oil to flow to a middle portion between upper and lower ball return ways (Figure 3) to lubricate rolling balls.
- An oiling hole (17) defined at end surface of end cap
- An oiling hole (18) defined at side surface of end cap

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Menges in view of Höfling et al. USP 5,161,896.

Menges discloses all of the claimed subject matter as described above.

While Menges does indeed disclose an oiling passage on the top surface of the sliding block, he does not do so explicitly.

Höfling teaches an oiling hole (80b) defined on the top surface of the sliding block so that the lubricating oil supply can be connected optimally depending on the installation conditions (C13/L55-59).

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the teachings of Menges and utilize an oiling hole defined on the top surface of the sliding block, as taught by Höfling, so that the lubricating oil supply can be connected optimally depending on the installation conditions.

6. Claims 5,6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Menges in view of Luo US 2003/164264.

Regarding claim 5, Menges discloses all of the claimed subject matter as described above.

Menges does not disclose a capping plate provided with a stopping piece.

Luo teaches a capping plate (66) provided with a stopping piece (72) detachable from structure for the purpose of drawing lubricating oil from the oil reservoir in a specific time (Paragraph [0012]).

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the teachings of Meng and utilize the stopping piece, as taught by Luo, for the purpose of drawing lubricating oil from the oil reservoir in a specific time.

Regarding claim 6, the stopping piece is detachable from the structure.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Terence Boes whose telephone number is (571) 272-4898. The examiner can normally be reached on Monday - Friday 9:00 AM - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Ridley can be reached on (571) 272-6917. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TB
3/6/06


RICHARD RIDLEY
SUPERVISORY PATENT EXAMINER